

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 526 OF 2023

Sunil Paramhans Yadav

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Ms. Anjali Jaiswal i/b. S.S.Dubey for the Applicant.

Mr. R.M.Pethe, APP for the State.

API Todkar from Santacruz Police Stn. Present.

CORAM : ANUJA PRABHUDESSAI ,J.

DATED : 8th MARCH, 2023.

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid applicant apprehending his arrest in C.R.No. 85 of 2023 registered with Santa Cruz Police Station for offences under Section 143, 146, 147, 324, 325, 326, 504 r/w. 34 of Indian Penal Code.

2. Heard Ms.Jaiswal, learned Counsel for the Applicant and Mr. Pethe, learned APP for the State. I have perused the records and considered the submissions advanced by learned Counsel for the respective parties .

3. The aforesaid crime was registered pursuant to the FIR lodged by one Mahadeo Kamble. Perual of the FIR prima facie reveals that on 23rd

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January, 2023, the Applicant and other co-accused formed an unlawful assembly and they assaulted the Complainant and caused him injuries. The role attributed to the Complainant is that the Applicant had assaulted him with slaps and kicks. Medical report does not prima facie indicate that the Complainant had sustained grievous injuries. Considering the nature of role attributed to the Applicant, this Court by Order dated 23rd February, 2023 had granted interim bail to the Applicant. It is stated that the Applicant has reported to the Investigating Officer and has complied with the condition of interim bail by co-operating with investigation. Considering the above facts and circumstances, in my considered view this is not a case which warrants custodial interference. Hence the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the Applicant in Crime No. 85 of 2023 registered with Santa Cruz Police Station, the Applicant be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two sureties in the like amount, to the satisfaction of the Investigation Officer.
- (ii) Applicant shall report to the Investigating Officer as and when required by the Investigating Officer for the purpose of investigation and interrogation.
- (iii) Applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer.

- (iv) Applicant shall not change his residential address without prior intimation to the Investigation Officer.
- (v) Applicant shall not interfere with the complainant and the other witnesses in any manner.

(ANUJA PRABHUDESSAI, J.)